IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2567 OF 2005

Dr.Amar Vishal ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

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Mr.V.M.Thorat for the Petitioner.

Mr.V.P.Malvankar, AGP for Respondent No.1.

Mr.K.Y.Mandlik for Respondent No.2.

Mr.S.M.Sabrad for Respondent No.3.

Mr.R.V.Govilkar for Respondent No.4.

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CORAM : F.I.REBELLO, J. AND

DR.D.Y.CHANDRACHUD, J.

16th January, 2006.

P.C. :

Section 53 of the Maharashtra University of Health Sciences Act provides for hearing of a grievance by the Grievance Committee. Pursuant to

that the Vice Chancellor had issued a notification dated 14th May, 2004 setting out the procedure for hearing of a grievance. It is true that the expression 'teacher' does not set out that it includes a teacher who has ceased to be in service. However, on behalf of the University, learned counsel points out that it also includes teachers whose services are either terminated or retired, as disputes regarding the termination as also terminal benefits are being considered by the grievance committee. Considering the above, since the Petitioner has an alternative efficacious remedy, it would not be appropriate for this Court to exercise the extra-ordinary jurisdiction.

On behalf of the University, learned counsel makes a statement that if the Petitioner files an appeal, that appeal will be considered and the same will be disposed of within a period of eight weeks of being filed. Statement accepted. The Petition is disposed of accordingly.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)